

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID KECK

CASE NO. 08-1219 (CRB)

Plaintiff(s),

v.

BANK OF AMERICA, CENTRAL STATES  
INDEMNITY OF OMAHA, CSI  
PROCESSING LLC ET AL

Defendant(s).

STIPULATION AND ~~[PROPOSED]~~  
ORDER SELECTING ADR PROCESS

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

**Court Processes:**

Non-binding Arbitration (ADR L.R. 4)

Early Neutral Evaluation (ENE) (ADR L.R. 5)

Mediation (ADR L.R. 6)

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

**Private Process:**

✓ Private ADR (*please identify process and provider*) JAMS mediation. 1 day.

Mediator and timing to be determined by agreement of the parties, who request 90 days after Rule 26 disclosures to identify mediator and set mediation date.

The parties agree to hold the ADR session by:

the presumptive deadline (*The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.*)

✓ other requested deadline To be determined, but prior to filing motion for class certification

Dated: 5/16/08

/s/ Peter Fredman

Attorney for Plaintiff

Dated: 5/16/08

/s/ Jan T. Chilton

Attorney for Defendant

Dated: 5/16/08

/s/ Paul E. Gaspari

Attorney for Defendant

**[PROPOSED] ORDER**

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

Non-binding Arbitration

Early Neutral Evaluation (ENE)

Mediation

**X** Private ADR

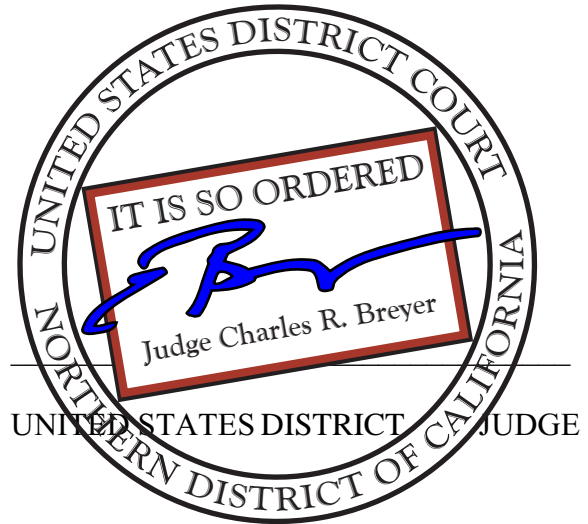
Deadline for ADR session

90 days from the date of this order.

**X** other

IT IS SO ORDERED.

Dated: May 20, 2008



UNITED STATES DISTRICT JUDGE